

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 1329 OF 2006

JUDGMENT:

This appeal is directed by the claimant against the judgment and decree dated 24.02.2006 passed by the Motor Accidents Claims Tribunal-cum-III Additional District Judge, (FTC), Nizamabad (for short 'the Tribunal), in O.P.No.1946 of 2001, whereby the tribunal dismissed the claim petition on the ground that the evidence of PW.2-doctor shows that the claimant sustained only one contusion on the left thigh and the claimant claimed that he sustained fractures and other multiple injuries is found to be false and that the accident was not caused due to rash and negligent driving of the auto bearing No.AP 25 T 8565 and that whatever injuries claimed to have been sustained by the claimant are in the accident which was caused due to rash and negligent driving of jeep bearing No. AP 1 T 1999 and hence, the respondents are not liable to pay the compensation.

2 On perusal of the entire material available on record and having regard to the facts and circumstances of the case, the tribunal rightly dismissed the claim petition that the accident has not been proved that the claimant was in the said auto at the time of accident. In view of the above, this Court feels that the order passed by the tribunal is well

considered and needs no interference of this Court. Accordingly, the appeal filed by the claimant is liable to be dismissed.

3. Accordingly, the appeal is dismissed confirming the judgment and decree dated 24.02.2006 in O.P.No.1946 of 2001 passed by the Motor Accidents Claims Tribunal-cum-III Additional District Judge, (FTC), Nizamabad. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

Date: 28-10-2019
kvrn

T.AMARNATH GOUD,J

